



**DEPARTMENT OF THE ARMY  
US ARMY MEDICAL RESEARCH AND MATERIEL COMMAND AND  
FORT DETRICK  
504 SCOTT STREET  
FORT DETRICK, MD 21702-5012**

REPLY TO  
ATTENTION OF:

MCMR-JA

03 MAY 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #2002-17-1, Senior Noncommissioned Officer Misconduct

1. References.

- a. AR 27-10, Military Justice
- b. AR 635-200, Enlisted Personnel
- c. AR 623-205, Noncommissioned Officer Evaluation reporting System

2. Purpose. This memorandum establishes the U.S. Army Medical Research and Materiel Command and Fort Detrick (USAMRMC&FD) policy for administering cases of Senior Noncommissioned Officer misconduct.

3. Applicability and Scope. This policy is applicable to all military personnel in the rank of Command Sergeant Major, Sergeant Major, First Sergeant, Master Sergeant, and Sergeant First Class assigned or attached to the USAMRMC&FD general court-martial jurisdiction. This policy shall remain in effect until superseded by me or a successor in command.

4. Policy.

a. As General Court-Martial Convening Authority, I withhold from subordinate commanders the authority to dispose of allegations of misconduct involving Command Sergeants Major and Sergeants Major. This reservation of authority includes courts-martial, nonjudicial punishment under Article 15, UCMJ, reprimands, adverse counseling, and other adverse administrative actions. It also includes the decision to take no disciplinary action at all. This reservation of authority does not apply to commanders or supervisors responding to a non-commissioned officer's poor duty performance.

b. Subordinate commanders will promptly report all allegations of misconduct by soldiers in these ranks to me directly. Reports may be verbal. At the appropriate time, commanders will make recommendations for the disposition of such misconduct cases, which may include recommendations for disposition by subordinate commanders.

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c. As General Court-Martial Convening Authority, I withhold authority to dispose of allegations of misconduct involving First Sergeants, Master Sergeants, and Sergeants First Class to the first Colonel in command of the soldier. This reservation of authority includes courts-martial, nonjudicial punishment under Article 15, UCMJ, reprimands, adverse counseling, and other adverse administrative actions. It also includes the decision to take no disciplinary action at all. This reservation of authority does not apply to commanders or supervisors responding to a non-commissioned officer's poor duty performance.

d. Commanders will promptly report all allegations of misconduct involving soldiers in these ranks to the first Colonel in command of the soldier. Reports may be verbal. Commanders will fully investigate these cases and either dispose of the incident at their level; give the case to a subordinate commander to handle in his or her discretion; or recommend UCMJ or other action that would require the involvement of the next senior commander.

e. Forward requests to administer nonjudicial punishment or take other disciplinary action against these soldiers through the trial counsel in the Office of the Staff Judge Advocate. These requests will include evidence supporting and explaining the allegations, the commander's evaluation of the non-commissioned officer, and the soldier's Enlisted Record Brief (ERB).

f. Disciplinary action taken in violation of this policy is invalid and I will set it aside.

5. Supersession. This memorandum supersedes the previous command policy, subject as above.

6. Proponancy. The proponent for this Command Policy is the Office of the Staff Judge Advocate. Direct any questions to the Office of the Staff Judge Advocate at 301-619-2221.



LESTER MARTINEZ-LOPEZ  
Major General, MC  
Commanding

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and Personal Staff Offices